

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Elizabeth Poole, et al.,

Plaintiffs

v.

Progressive Direct Insurance Company,

Defendant

Case No. 2:24-cv-01981-CDS-BNW

**Order Denying Motion to Remand and  
Denying Stipulation to Stay Case as Moot**

[ECF Nos. 8, 17]

This breach of contract claim brought by plaintiff Elizabeth Poole, as an individual Assignee of Rights of plaintiff Rene Arguelles Jr., against defendant Progressive Direct Insurance Company was removed from the Eighth Judicial District Court of Clark County by Progressive. Pet. for removal, ECF No. 1. Poole filed the complaint on September 17, 2024. Compl., ECF No. 1-1. Progressive removed the case on October 23, 2024. ECF No. 1. On November 22, 2024, Poole filed the instant motion to remand the case. Mot. to remand, ECF No. 8. Progressive filed an opposition on December 13, 2024. Opp'n, ECF No. 12. On January 10, 2025, the parties also filed a joint stipulation requesting to stay the case pending the order on the motion to remand. Stip., ECF No. 17.

Poole moves for remand arguing that this case should be litigated in state court because they have personal jurisdiction over Progressive. ECF No. 8 at 12-18. But Poole's motion offers no facts or evidence indicating that this court lacks subject matter jurisdiction over the case. Indeed, looking at the pleadings, Progressive has successfully demonstrated that this case was properly removed to federal court pursuant to 28 U.S.C. §§ 1441(a) and 1332(a)(1). Progressive is a citizen of Ohio while Poole and Arguelles are citizens of Nevada. ECF No. 1 at 2. Further, Poole's complaint states that she is requesting a judgment against Arguelles in the amount of \$137,802.44. ECF No. 1-1 at 13, 26. Although Poole requests more damages than just the

1 judgment, this number alone exceeds the amount in controversy requirement of more than  
2 \$75,000. ECF No. 1-1 at 13, 26. Accordingly, defendants have properly demonstrated that this  
3 court has subject-matter jurisdiction over this case, and I deny the motion to remand. Because I  
4 deny the motion to remand, I deny as moot the parties' joint stipulation to stay the case.

5 **Conclusion**

6 IT IS THEREFORE ORDERED that Poole's motion to remand [ECF No. 8] is DENIED.

7 IT IS FURTHER ORDERED that the parties' joint stipulation to stay the case [ECF No.  
8 17] is DENIED as moot.

9 Dated: January 14, 2025

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12 Cristina D. Silva  
13 United States District Judge  
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